



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2001 Assembly Bill 661

Assembly Amendment 1

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Contact: Shaun Haas, Senior Staff Attorney (267-9025)

Current law prohibits possession with intent to use or use of drug paraphernalia for a variety of activities including growing, making, processing, analyzing, or storing a controlled substance. The penalty for violating this prohibition is confinement in jail for not more than 30 days or a fine not to exceed \$500 or both. If the paraphernalia is for prohibited activities related to methamphetamine or a controlled substance analog of methamphetamine, the penalty is a term of imprisonment (consisting of confinement in prison followed by extended supervision) not to exceed five years or a fine not to exceed \$10,000 or both.

2001 Assembly Bill 661 increases the penalty for possession with intent to use or use of drug paraphernalia for prohibited activities relating to methamphetamine or a controlled substance analog of methamphetamine, to a term of imprisonment not to exceed 10 years or a fine not to exceed \$20,000 or both, *if the possession or use occurs on premises where a person who is under the age of 18 resides.*

Assembly Amendment 1 creates a cross-reference to the new penalty provision relating to the possession of drug paraphernalia for prohibited activities relating to methamphetamine and limits the applicability of the penalty provision to possession or use occurring on premises where a person resides who is *“16 years of age or younger,” rather than “under age 18.”*

Assembly Bill 661, as amended, was recommended for passage on a vote of Ayes, 14; Noes, 0.

SPH:tlu:ksm;jal